

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF OKLAHOMA

**FILED**

SEP 3 0 2014

CARMELITA REEDER SHINN, CLERK  
U.S. DIST. COURT, WESTERN DIST. OKLA.  
BY uk, DEPUTY

TYRONE HENRY McMILLER, )  
)  
Plaintiff, )  
)  
vs. )  
)  
GEO GROUP, INC., et al., )  
)  
Defendants. )

No. CIV-12-1060-W

**ORDER**

On August 15, 2014, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation in this matter and recommended that the Motion for Summary Judgment filed pursuant to Rule 56, F.R.Civ.P., by plaintiff Tyrone Henry McMiller, proceeding pro se, be denied. McMiller was advised of his right to object, see Doc. 101 at 14, and despite an extension of time to do so, see Doc. 104, McMiller filed no objections to the Report and Recommendation within the allotted time.

Upon review of the record, the Court concurs with Magistrate Judge Erwin's suggested disposition of McMiller's request for judgment as a matter of law in his favor, particularly, after having determined this date that all defendants save Claude Chester<sup>1</sup> are entitled either to dismissal under Rule 12(b)(6), F.R.Civ.P., or to summary judgment themselves under Rule 56, supra.

Accordingly, the Court

(1) ADOPTS the Report and Recommendation [Doc. 101] filed on August 15, 2014;

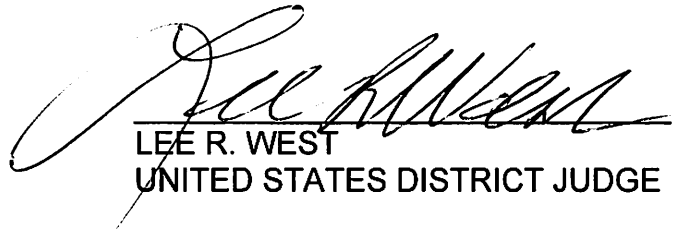
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<sup>1</sup>On August 15, 2014, Magistrate Judge Erwin gave McMiller additional time to serve Chester. See Doc. 102.

(2) DENIES McMiller's Motion for Summary Judgment [Doc. 88] file-stamped January 23, 2014; and

(3) RE-REFERS this matter to Magistrate Judge Erwin for further proceedings.

ENTERED this 30th day of September, 2014.



LEE R. WEST  
UNITED STATES DISTRICT JUDGE